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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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**KEITH H. DEBUS,**

Plaintiff,

v.

**COMMODITIES FUTURES TRADING  
COMMISSION,**

Defendant.

**ORDER AFFIRMING  
REPORT & RECOMMENDATION**

**Case No. 2:08MC109DAK**

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This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Brooke C. Wells under 28 U.S.C. § 636(b)(1)(B). Plaintiff Keith Debus instituted this action by filing a Motion to Quash Summons in response to a subpoena issued by the Commodity Futures Trading Commission (“CFTC”). On March 12, 2008, Magistrate Judge Wells issued Report and Recommendation, finding that Debus’ arguments under the Financial Privacy Act, 12 U.S.C. §§ 3401-22 (1994) lacked merit and recommending that Debus’ Motion to Quash be denied.

The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation was required to be filed within ten days of receiving it. The time for filing an objection has passed and no objection has been filed to the Report and Recommendation.

The court has reviewed the file *de novo*. The court approves and adopts the Magistrate

Judge's Report and Recommendation in its entirety. Accordingly, Plaintiff's Motion to Quash is DENIED. This case is closed.

DATED this 31<sup>st</sup> day of March, 2008.

BY THE COURT:

  
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DALE A. KIMBALL  
United States District Judge